

# Colorado Department of Public Health and Environment

# **OPERATING PERMIT**

ROCKY MOUNTAIN NATURAL GAS PICEANCE CREEK GAS PLANT

RENEWED: OCTOBER 1, 2005 REVISED: SEPTEMBER 1, 2008

# AIR POLLUTION CONTROL DIVISION COLORADO OPERATING PERMIT

FACILITY NAME: Piceance Creek Gas Plant OPERATING PERMIT NUMBER

and Compressor Station

FACILITY ID: 1030037

RENEWED: October 1, 2005 EXPIRATION DATE: October 1, 2010

MODIFICATIONS: See Appendix F of Permit

Issued in accordance with the provisions of the Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO: PLANT SITE LOCATION:

Rocky Mountain Natural Gas, LLC SW/4 SE/4, S22, T1N, R97W

370 Van Gordon, Suite 4000 Rio Blanco County

Lakewood, CO 80228

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: January 30, 2004 And Additional Information Received: January 25, 2008

Nature of Business: Natural Gas Processing and Transmission

Primary SIC: 4922

RESPONSIBLE OFFICIAL FACILITY CONTACT PERSON

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98OPRB202

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SUBMITTAL DEADLINES

Semi-Annual Monitoring Period: January 1 - June 30, July 1 - December 31

Semi-Annual Monitoring Report: January 31, 2006 & July 31, 2006 and subsequent years

Annual Compliance Period: Begins January 1 to December 31 Annual Compliance Certification: January 31, 2006 and subsequent years

Note that the Semi-Annual Monitoring reports and the Annual Compliance report must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports.

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#### **SECTION I - General Activities and Summary**

#### 1. Permitted Activities

1.1 This facility consists of a Natural Gas Production and Transmission facility as defined under Standard Industrial Classification 4925. Reciprocating engines are used to drive compressors, which compress natural gas for delivery to pipeline, and an electrical generator. Natural gas is processed by one of two natural gas liquid extraction plants, which remove natural gas liquids. Natural gas liquids product is collected and stored in pressure vessels and transported offsite via trucks.

The facility is located near Meeker in Rio Blanco County. The area in which the plant operates is designated as attainment for all criteria pollutants.

Utah is an affected state within 50 miles of the plant. The following Federal Class I designated areas are within 100 kilometers of the plant: Flattops Wilderness Area.

- 1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.
- 1.3 This Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this operating permit and shall survive reissuance. This Operating Permit incorporates the applicable requirements (except as noted in Section II) from the following Colorado Construction Permit(s): 88RB149, 92RB1423-1,-2 and 94RB756.
- 1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:**

Permit Condition Number(s): Section IV - Conditions 3d, 3g (last paragraph), 14 and 18 (as noted).

1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section IV of this permit.

#### 2. Alternative Operating Scenarios (ver 2/3/04)

The following Alternative Operating Scenario (AOS) for temporary and permanent engine replacement has been reviewed in accordance with the requirements of Regulation No. 3., Part A, Section IV.A, Operational Flexibility-Alternative Operating Scenarios, and Regulation No. 3, Part B, Construction Permits, and has been

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found to meet all applicable substantive and procedural requirements. This permit incorporates and shall be considered a Construction Permit for any engine replacement performed in accordance with this AOS, and the permittee shall be allowed to perform such engine replacement without applying for a revision to this permit or obtaining a new Construction Permit.

For purposes of Regulation No. 3, Part B, Section IV.G.4.a., any engine replacement authorized under this AOS shall commence operation upon notation of same in the contemporaneous log as required below. Results of any testing required below shall be used for comparison to the applicable permitted emission limits.

#### 2.1 Temporary Engine Replacement

The following AOS is incorporated into this permit in order to deal with a compressor engine breakdown or periodic maintenance and repair that requires the use of a temporary replacement engine. "Temporary" is defined as in the same service for 90 operating days or less in any 12 month period. The 90 days is the total number of days that the engine is in operation. If the engine operates only part of a day, that day counts towards the 90 day total. Note that the compliance demonstrations made as part of this AOS are in addition to any compliance demonstrations required by this permit.

2.1.1 The permittee may temporarily replace an existing compressor engine that is subject to the emission limits set forth in this permit with an engine that is of the same manufacturer, model, and horsepower or a different manufacturer, model, or horsepower as the existing engine without modifying this permit, so long as the emissions from the temporary replacement engine comply with the emission limitations for the existing permitted engine as described in conditions 2.1.2 or 2.1.6 below. Measurement of emissions from the temporary replacement engine shall be made as follows:

The permittee shall measure nitrogen oxide  $(NO_x)$  and carbon monoxide (CO) emissions in the exhaust from the temporary replacement engine using a portable flue gas analyzer within seven (7) calendar days of commencing operation of the temporary replacement engine. Calibration of the analyzer shall be conducted according to manufacturer's instructions.

In the absence of credible evidence to the contrary, results of the portable flue gas analyzer test shall be determinative of enforceable compliance or noncompliance of the temporary replacement engine with the emission limitations of the existing permitted engine as described in conditions 2.1.2 or 2.1.6 below.

An exceedance of either the  $NO_x$  or CO emission limitation during the initial portable flue gas analyzer test shall require a subsequent portable flue gas analyzer test indicating compliance with both the  $NO_x$  and CO emission limitations within 14 calendar days of commencing operation of the replacement engine. Calibration gases shall be used to calibrate the portable analyzer for all tests conducted subsequent to the initial test.

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In the absence of credible evidence to the contrary, if portable flue gas analyzer results indicate compliance with both the  $NO_x$  and CO emission limitations within the 14 day period, the temporary replacement engine will be considered to be in compliance for purposes of this AOS from the time that the replacement engine commenced operation until the replacement engine is taken off line.

If portable flue gas analyzer results fail to indicate the compliance with either the  $NO_x$  or CO emission limitations within the 14 day period, the source will notify the Division in writing within 10 calendar days of the end of the 14 day period. In the absence of credible evidence to the contrary, the temporary replacement engine will be considered to be out of compliance from the time that the temporary replacement engine commenced operation until the engine is taken off line. Results of all testing that indicates noncompliance shall be submitted to the Division within 10 calendar days of the end of the 14 day period.

- 2.1.2 The permittee may temporarily replace a grandfathered or permit exempt engine or an engine that is not subject to emission limits without modifying this permit. Potential annual emissions of NO<sub>x</sub> and CO from the temporary replacement engine must be less than or equal to the potential annual emissions of NO<sub>x</sub> and CO from the original grandfathered or permit exempt engine or for the engine that is not subject to emission limits, as determined by applying appropriate emission factors.
- 2.1.3 Temporary replacement engines, whether of the same manufacturer, model, and horsepower, or of a different manufacturer, model, or horsepower, are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping), and shall be subject to any shield afforded by this permit
- 2.1.4 The permittee shall maintain a log on-site to contemporaneously record the start and stop date of any temporary engine replacement, the manufacturer, model number, horsepower, and serial number of the engine(s) that are temporarily replaced during the term of this permit, and the manufacturer, model number, horsepower, and serial number of the replacement engine.
- 2.1.5 Results of all tests conducted pursuant to this AOS shall be kept on site for five (5) years and made available to the Division upon request.
- 2.1.6 For comparison with an annual  $NO_x$  and CO emissions limit, the results of any testing required by this AOS shall be used to calculate the actual  $NO_x$  and CO emissions for the time that the engine is operated. Such emissions shall be added to either the rolling 12 month total or the annual emissions, whichever is appropriate in order to monitor compliance.

#### 2.2 Permanent Engine Replacement

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The following AOS is incorporated into this permit in order to deal with a compressor engine breakdown or periodic maintenance and repair which requires the use of a permanent replacement engine (defined as in the same service for more than 90 operating days in any 12 month period). The compliance demonstrations made as part of this AOS are in addition to any compliance demonstrations required by the permit.

2.2.1 The permittee may permanently replace the existing compressor engine for the emission points specified in Table 1 with the manufacturer, model, and horsepower engines listed in Table 1 without modifying this permit so long as the emissions from the permanent replacement engine comply with the emission limitations for the existing permitted engine as described in 2.2.8 below. The periodic monitoring specified in Table 1 for the replacement engine shall be required.

Measurement of emissions from the permanent replacement engine shall be made as follows:

The permittee shall measure nitrogen oxide  $(NO_x)$  and carbon monoxide (CO) emissions in the exhaust from the permanent replacement engine using a portable flue gas analyzer within seven (7) calendar days of commencing operation of the permanent replacement engine. Calibration of the analyzer shall be conducted according to manufacturer's instructions.

In the absence of credible evidence to the contrary, results of the portable flue gas analyzer test shall be determinative of enforceable compliance or noncompliance of the permanent replacement engine with the  $NO_x$  and CO emission limitations of the existing permitted engine as described in 4.2.7 below.

An exceedance of either the  $NO_x$  or CO emission limitation during the initial portable flue gas analyzer test shall require a subsequent portable analyzer test indicating compliance with both the  $NO_x$  and CO emission limitations within 14 calendar days of commencing operation of the replacement engine. Calibration gases shall be used to calibrate the portable analyzer for all tests conducted subsequent to the initial test.

In the absence of credible evidence to the contrary, if portable flue gas analyzer results indicate compliance with both the  $NO_x$  and CO emission limitations within the 14 day period, the permanent replacement engine will be considered to be in compliance for purposes of this AOS.

If portable flue gas analyzer results fail to indicate the compliance of the permanent replacement engine with either the  $NO_x$  or CO emission limitations within the 14 day period, the source will notify the Division in writing within 10 calendar days of the end of the 14 day period. Results of all testing that indicates noncompliance shall be submitted to the Division within 10 calendar days of the end of the 14 day period. The source will be required to conduct EPA Reference Test Methods (identified as Reference Method 7E and Reference Method 10, or Reference Method 19 (40 C.F.R. Part 60 Appendix A), hereinafter "EPA Reference Test Methods") or other test

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methods or procedures acceptable to the Division within 45 calendar days of the end of the 14 day period allowed for the portable flue gas analyzer testing. The Division shall be notified at least 30 calendar days prior to the EPA Reference Test date, so that it may choose whether to observe the testing.

In the absence of credible evidence to the contrary, if the EPA Reference Tests indicate compliance with both the  $NO_x$  and CO emission limitations, the permanent replacement engine will be considered to be in compliance for the purposes of this AOS.

If the EPA Reference Tests fail to demonstrate compliance with either the  $NO_x$  or CO emission limitations and in the absence of credible evidence to the contrary, the permanent replacement engine will be considered to be out of compliance for the purposes of this AOS from the date the replacement engine commenced operation until the engine is taken off line. Results of all EPA Reference testing that indicate noncompliance shall be submitted to the Division within 14 calendar days after receipt of the test results.

- 2.2.2 Permanent replacement engines are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping), and shall be subject to any shield afforded by this permit.
- 2.2.3 The permittee shall maintain a log on-site to contemporaneously record the date of any permanent engine replacement, the manufacturer, model number, horsepower, and serial number of the engine(s) that are permanently replaced during the term of this permit, and the manufacturer, model number, horsepower, and serial number of the replacement engine.
- 2.2.4 An Air Pollutant Emissions Notice (APEN) that includes the specific manufacturer, model and serial number and horsepower of the permanent replacement engine shall be filed with the Division for the permanent replacement engine within 14 calendar days of commencing operation of the replacement engine. The APEN shall be accompanied by the appropriate APEN filing fee and a cover letter explaining that the permittee is exercising an alternative operating scenario and is installing a permanent replacement engine.
- 2.2.5 This procedure cannot be used for permanent engine replacement in the following situations:
  - a. Permanent replacement of a grandfathered or permit exempt engine or an engine that is not subject to emission limits.
- 2.2.6 The permittee shall agree to pay fees based on the normal permit processing rate for review of information submitted to the Division in regard to any permanent engine replacement.

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- 2.2.7 Results of all tests conducted pursuant to this AOS shall be kept on site for five (5) years and made available to the Division upon request.
- 2.2.8 For comparison with an annual NO<sub>x</sub> and CO emissions limit, the results of any testing required by this AOS shall be used to calculate the actual NO<sub>x</sub> and CO emissions for the time that the engine is operated. Such emissions shall be added to either the rolling 12 month total or the annual emissions, whichever is appropriate, in order to monitor compliance, comparison with an annual NO<sub>x</sub> and CO emissions limit, the results of any testing required by this AOS shall be used to calculate the actual NO<sub>x</sub> and CO emissions for the time that the engine is operated. Such emissions shall be added to either the rolling 12 month total or the annual emissions, whichever is appropriate in order to monitor compliance.
- 2.2.9 At its discretion, the Division may require that the permittee apply for and obtain a minor permit modification, in accordance with the provisions of Regulation No. 3, Part C, § X, for any permanent engine replacement.
- 2.2.10 If this engine is located at a major source for Hazardous Air pollutants as defined in Regulation No. 3, Part A, section I.B.59.a., any permanent engine replacement under this AOS shall result in the replacement engine being considered a new affected source for purposes of 40CFR Part 63, Subpart ZZZZ National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines and shall be subject to all appropriate applicable requirements of that Subpart.

#### 2.3 Additional Sources

Current State Air Quality Regulations do not allow for advanced New Source Review in the absence of discrete and verifiable information concerning future installations. Therefore, any additional operational changes requiring new equipment at this facility not addressed by these Alternative Operating Scenarios will need to undergo appropriate Regulation No. 3 review procedures.

Table 1
Internal Combustion Engine Information for the AOS

Emission Point	Replacement Engine	Periodic Monitoring <sup>1</sup>	Stack Test
S001	(Exact replacement)	See Footnote 1	No
S004	(Exact replacement)	See Footnote 1	No
S005	(Exact replacement)	See Footnote 1	No

<sup>&</sup>lt;sup>1</sup> For Title V operating permit sources utilizing this AOS, periodic monitoring shall be determined from the Division's Title V periodic monitoring grid

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#### 3. Prevention of Significant Deterioration

- 3.1 Based on the information provided by the applicant, this source is categorized as a minor stationary source for PSD as of the issue date of this permit. Any future modification which is major by itself (Potential to Emit of  $\geq 250$  TPY) for any pollutant listed in Regulation No. 3, Part D, Section II.A.42 for which the area is in attainment or attainment/maintenance may result in the application of the PSD review requirements
- 3.2 There are no other Operating Permits associated with this facility for purposes of determining applicability of Prevention of Significant Deterioration regulations.

#### 4. Accidental Release Prevention Program (112(r))

4.1 Based on the information provided by the applicant, this facility is subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act).

#### 5. Compliance Assurance Monitoring (CAM)

5.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

None

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#### 6. Summary of Emission Units

#### 6.1 The emissions units regulated by this permit are the following:

Emission Unit Number	AIRS Stack Number	Facility Identifier	Description	Pollution Control Device
S001	005	E101	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site rated at 83 HP, Serial No. 241424 (1992)	Uncontrolled
S002	008	E819	Waukesha Model F1197 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine in Refrigeration Service, Site Rated at 145 HP, SN: 221043 (1982)	Catalyst A/F Controller
S003	002	E822	Waukesha Model F3711 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 325 HP, SN: 447584 (1982)	Catalyst A/F Controller
S004	009	E824	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 83 HP, SN: TBD (2008)	Uncontrolled
S005	001	E844	Superior Model 6G510 GU, 4 Cycle Stand Rich Burn, Natural Gas Fired Internal Combustion Engine, Site rated at 320 HP, SN:18018 (1988)	Catalyst A/F Controller
S006	007	D01	Process Equipment Corporation Ethylene Glycol Dehydrator Regenerator Still Vent, Maximum Rated at 5.0 MMscfd (1992)	Uncontrolled
F001	004	F01	Fugitive Emissions of VOCs from Equipment Leaks	Uncontrolled

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#### **SECTION II - Specific Permit Terms**

#### 1. S001 - F817 GU Internal Combustion Engine (83 HP)

Parameter	Permit Condition Number	Lim Short Term	itations Long Term	Compliance Emission Factor	Monitor Method	ing Interval
NOx	1.1	NA	24.3 tons/yr	5.50 lb/MMBtu	Recordkeeping and	Monthly
СО		NA	36.5 tons/yr	8.26 lb/MMBtu	Calculation	
Natural Gas Consumption	1.2	NA	6.8 MMscf/year	NA	Facility Fuel Meter	Monthly
Opacity	1.3	Less Than or Equal to 20%		NA	Fuel Restriction	Only Natural Gas is Used as Fuel
Btu Content	1.4	NA	NA	NA	Recordkeeping and Calculation	Semi-Annually
Run-Time Hours	1.5	NA	NA	NA	Recordkeeping	Annually

1.1 Emissions of Nitrogen Oxides and Carbon Monoxide shall not exceed the limitations stated above (Colorado Construction Permit 92RB1423-2 as modified under the provisions of Section I, Condition 1.3).

Emissions of each pollutant shall be calculated monthly by the end of each subsequent month using the listed compliance emission factors (EF), monthly natural gas consumption, and the lower heating value calculated using the composition results from the latest gas analysis from Condition 4.2 in the following equation:

lb/month = (EF) × (Monthly Natural Gas Use - MMscf) × (Heat Content of Fuel - MMBtu/MMscf)

A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

- 1.2 Consumption of natural gas shall not exceed the limitations listed above (Colorado Construction Permit 92RB1423-2). Within the first seven days of every month, facility-wide natural gas use shall be recorded using existing fuel meter(s). Allocation of natural gas use to each engine will be based on the engine design heat rates and hours of operation. The natural gas use shall be measured no more than one (1) hour from the time that run time hours have been recorded. A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the data for the previous twelve months.
- 1.3 Opacity of emissions from this engine shall not exceed 20% (Colorado Regulation No. 1, Section A.II.1). In the absence of credible evidence to the contrary, compliance with 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for this engine.

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Samples of natural gas shall be collected and analyzed to determine  $C_1$  through  $C_{6+}$  composition. The lower heating value of the natural gas shall be calculated semi-annually using the results of the analysis and published heats of combustion (on the basis that combustion occurs with products and reactants in the vapor state) in terms of Btu/scf at  $60^{\circ}$  F and 14.696 psia in the following equation:

LHV Btu/scf = 
$$\frac{\sum_{i} (C_{i} mol \%)(H_{C_{i}} Btu/scf)}{100}$$
where:

 $C_i = Concentration of Component i mol \%$ 

 $H_{C_i}$  = Heat of Combustion (vapor state of reactants) at 60 °F, 14.696 psia Btu/scf

Calculation of monthly emissions required under Condition 1.1 shall be made using the calculated lower heating value based on the most recent required analysis in Condition 4.2.

- 1.5 Hours of operation for this engine shall be monitored and recorded monthly for use in determining monthly natural gas use.
- 1.6 This engine shall be operated and maintained in accordance with good engineering practices and maintenance standards, which shall consider manufacturer's recommendations and industry standard practices, at all times, including periods of start-up, shutdown, and malfunction.

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#### 2. S002 - F1197 GU Internal Combustion Engine (145 HP)

Parameter	Permit Condition Number	Limi Short Term	tations Long Term	Compliance Emission Factor	Monitor Method	ring Interval
NOx	2.1, 2.2	NA	2.8 tons/year	0.50 lb/MMBtu	Recordkeeping and Calculation Monitoring with a Portable Flue Gas	Monthly, Quarterly
СО		NA	2.8 tons/year	0.50 lb/MMBtu	Monitor (see Cond. 2.2)	
VOC	2.1	NA	1.4 tons/year	0.25 lb/MMBtu	Recordkeeping and Calculation	Monthly
Natural Gas Consumption	2.3	NA	NA	NA	Facility Fuel Meter	Monthly
Opacity	2.4	Less Than or Equal to 20%		NA	Fuel Restriction	Only Natural Gas is Used as Fuel
Btu Content	2.5	NA	NA	NA	Recordkeeping and Calculation	Semi-Annually
Run-Time Hours	2.6	NA	NA	NA	Recordkeeping	Annually
Controls	2.7	NA		NA	Recordkeeping	Weekly, Monthly

S003 - F3711 GU Internal Combustion Engine (325 HP)

	Permit Condition	Limi	tations	Compliance Emission	Monitor	ring
Parameter	Number	Short Term	Long Term	Factor	Method	Interval
NOx	2.1, 2.2	NA	6.28 tons/year	0.48 lb/MMBtu	Recordkeeping and Calculation Monitoring with a Portable Flue Gas	Monthly, Quarterly
СО		NA	6.28 tons/year	0.48 lb/MMBtu	Monitor (see Cond. 2.2)	
VOC	2.1	NA	3.14 tons/year	0.24 lb/MMBtu	Recordkeeping and Calculation	Monthly
Natural Gas Consumption	2.3	NA	NA	NA	Facility Fuel Meter	Monthly
Opacity	2.4	Less Than or Equal to 20%		NA	Fuel Restriction	Only Natural Gas is Used as Fuel
Btu Content	2.5	NA	NA	NA	Recordkeeping and Calculation	Semi-Annually
Run-Time Hours	2.6	NA	NA	NA	Recordkeeping	Annually
Controls	2.7	NA		NA	Recordkeeping	Weekly, Monthly

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S005 - 6G510 Internal Combustion Engine (320 HP)

	Permit					
	Condition		tations	Compliance Emission	Monitor	ring
Parameter	Number	Short Term	Long Term	Factor	Method	Interval
NOx	2.1,	NA	6.18 tons/year	0.45 lb/MMBtu	Recordkeeping and	Monthly,
	2.2				Calculation,	Quarterly
	2.2				Monitoring with a	, ,
					Portable Flue Gas	
CO		NA	6.18 tons/year	0.45 lb/MMBtu	Monitor	
					(see Cond. 2.2)	
VOC	2.1	NA	3.09 tons/year	0.22 lb/MMBtu	Recordkeeping and	Monthly
					Calculation	
Natural Gas	2.3	NA	29.4 MMscf/year	NA	Facility Fuel Meter	Monthly
Consumption						
Opacity	2.4	Less Than or	Fequal to 20%	NA	Fuel Restriction	Only Natural
						Gas is Used as
						Fuel
Btu Content	2.5	NA	NA	NA	Recordkeeping and	Semi-Annually
					Calculation	
Run-Time Hours	2.6	NA	NA	NA	Recordkeeping	Annually
Controls	2.7	NA		NA	Recordkeeping	Weekly,
						Monthly

2.1 Emissions of Nitrogen Oxides, Carbon Monoxide and Volatile Organic Compounds shall not exceed the limitations stated above (Colorado Construction Permit 88RB149; Compliance Order on Consent of 9/21/00).

Emissions of each pollutant shall be calculated monthly by the end of each subsequent month using the listed compliance emission factors (EF), monthly natural gas consumption, and the lower heating value calculated using the composition results from the latest gas analysis from Condition 4.2 in the following equation:

lb/month = (EF) X (Monthly Natural gas Use - MMscf) × (Heat Content of Fuel - MMBtu/MMscf)

A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

If the results of the portable analyzer testing conducted under the provisions of condition 2.2 show that either the  $NO_X$  or CO emission rates/factors are greater than those listed above, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rates/factors within 60 days of the completion of the test.

2.2 Emission measurements of nitrogen oxides  $(NO_X)$  and carbon monoxide (CO) shall be conducted quarterly using a portable flue gas analyzer. At least one calendar month shall separate the quarterly tests. Note

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that if the engine is operated for less than 100 hrs in any quarterly period, then the portable monitoring requirements do not apply.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

If the portable analyzer results indicate compliance with both the  $NO_X$  and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the engine is in compliance with both the  $NO_X$  and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the  $NO_X$  or CO emission limitations, the engine will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the  $NO_X$  and CO emission limitations or until the engine is taken offline.

For comparison with the emission rates/factors, the emission rates/factors determined by the portable analyzer tests and approved by the Division shall be converted to the same units as the emission rates/factors in the permit. If the portable analyzer tests shows that either the  $NO_X$  or CO emission rates/factors are greater than the relevant ones set forth in the permit, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rate/factor within 60 days of the completion of the test.

Results of all tests conducted shall be kept on site and made available to the Division upon request.

2.3 Consumption of natural gas shall not exceed the limitations listed above (Colorado Construction Permit 88RB149). Within the first seven days of every month, facility-wide natural gas use shall be recorded using existing fuel meter(s). Allocation of natural gas use to each engine will be based on the engine design heat rates and hours of operation. The natural gas use shall be measured no more than one (1) hour from the time that run time hours have been recorded. A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the data for the previous twelve months.

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- 2.4 Opacity of emissions from these engines shall not exceed 20% (Colorado Regulation No. 1, Section A.II.1). In the absence of credible evidence to the contrary, compliance with 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for these engines.
- 2.5 Samples of natural gas gas shall be collected and analyzed to determine  $C_1$  through  $C_{6+}$  composition. The lower heating value of the natural gas shall be calculated semi-annually using the results of the analysis and published heats of combustion (on the basis that combustion occurs with products and reactants in the vapor state) in terms of Btu/scf at  $60^{\circ}$  F and 14.696 psia in the following equation:

LHV Btw/scf = 
$$\frac{\sum_{i} (C_{i} mol \%)(H_{C_{i}} Btw/scf)}{100}$$
where:

 $C_i$  = Concentration of Component i mol %  $Hc_i$  = Heat of Combustion (vapor state of reactants) at 60 °F, 14.696 psia Btu/scf

Calculation of monthly emissions required under Condition 2.1 shall be made using the calculated lower heating value based on the most recent required analysis in Condition 4.2.

- 2.6 Hours of operation for each engine shall be monitored and recorded monthly for use in determining monthly natural gas use.
- 2.7 Each engine shall be equipped with an air/fuel ratio controller. Operation of the engine without a functional air/fuel ratio controller shall be considered noncompliance. The performance of the air/fuel ratio controller shall be evaluated and noted, and the air/fuel ratio controller set point and the current indicator reading shall be recorded at least once per week. The records shall be made available for Division review upon request.

Each engine shall be equipped with a catalytic converter. Operation of the engine without a functional catalytic converter shall be considered noncompliance. The catalytic converter shall have the inlet temperature and pressure drop measured at least once per calendar month. The results shall be recorded and kept on-site for Division review upon request. Any replacement, servicing, or modifications of the catalytic converter shall be recorded. The annual compliance report shall include a statement that the parametric monitoring has been performed as required. Further, a statement is required as to whether or not the proper parametric values have been maintained, and that summarizes any incidents of non-compliance.

2.8 These engines shall be operated and maintained in accordance with good engineering practices and maintenance standards, which shall consider manufacturer's recommendations and industry standard practices, at all times, including periods of start-up, shutdown, and malfunction.

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#### 3. S004 - F817 GU Internal Combustion Engine (83 HP)

	Permit Condition	Limitations		Compliance Emission	Monitoring	
Parameter	Number	Short Term	Long Term	Factor	Method	Interval
NOx	3.1	NA	24.3 tons/yr	5.50 lb/MMBtu	Recordkeeping and	Annually
CO		NA	36.5 tons/yr	8.26 lb/MMBtu	Calculation	
Natural Gas Consumption	3.2	NA	6.8 MMscf/year	NA	Facility Fuel Meter	Monthly
Opacity	3.3	Less Than or Equal to 20%		NA	Fuel Restriction	Only Natural Gas is Used as Fuel
Btu Content	3.4	NA	NA	NA	Recordkeeping and Calculation	Semi-Annually
Run-Time Hours	3.5	NA	NA	NA	Recordkeeping	Annually

3.1 Emissions of Nitrogen Oxides and Carbon Monoxide shall not exceed the limitations stated above (Revised APEN submitted 2/25/08, as modified under the provisions of Section I, Condition 1.3). Emissions shall be calculated annually for this engine using the listed emission factors (EF), annual natural gas consumption, and the lower heating value calculated using the composition results from the latest gas analysis from Condition 4.2 in the following equation:

lb/month = (EF) × (Monthly Natural Gas Use - MMscf) × (Heat Content of Fuel - MMBtu/MMscf)

A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

- 3.2 Consumption of natural gas shall not exceed the limitations listed above (Revised APEN submitted 2/25/08, as modified under the provisions of Section I, Condition 1.3). Within the first seven days of every month, facility-wide natural gas use shall be recorded using existing fuel meter(s). Allocation of natural gas use to each engine will be based on the engine design heat rates and hours of operation. The natural gas use shall be measured no more than one (1) hour from the time that run time hours have been recorded. A twelve month rolling total shall be maintained for demonstration of compliance with the annual limitations. Each month a new twelve month total shall be calculated using the data for the previous twelve months.
- 3.3 Opacity of emissions from this engine shall not exceed 20% (Colorado Regulation No. 1, Section A.II.1). In the absence of credible evidence to the contrary, compliance with 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for this engine.
- 3.4 Samples of fuel gas shall be collected and analyzed to determine  $C_1$  through  $C_{6+}$  composition. The lower heating value of the fuel shall be calculated semi-annually using the results of the analysis and published

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heats of combustion (on the basis that combustion occurs with products and reactants in the vapor state) in terms of Btu/scf at 60° F and 14.696 psia in the following equation:

LHV Btu/scf = 
$$\frac{\sum_{i} (C_{i} mol \%)(H_{C_{i}} Btu/scf)}{100}$$

 $C_i$  = Concentration of Component i mol %

 $H_{C_i}$  = Heat of Combustion (vapor state of reactants) at 60 °F, 14.696 psia Btu/scf

Calculation of monthly emissions required under Condition 3.1 shall be made using the calculated lower heating value based on the most recent required analysis in Condition 4.2.

- 3.5 Hours of operation for this engine shall be monitored and recorded monthly for use in determining monthly fuel use.
- 3.6 This engine shall be operated and maintained in accordance with good engineering practices and maintenance standards, which shall consider manufacturer's recommendations and industry standard practices, at all times, including periods of start-up, shutdown, and malfunction.

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#### 4. S006 - Ethylene Glycol Dehydrator (5 MMscf/day)

	Permit Condition	Limit	tations	Compliance Emission	Monito	ring
Parameter	Number	Short Term	Long Term	Factor	Method	Interval
VOC	4.1	NA	7.8 TPY	Based on Input to GLYCalc Version 4.0 Model	Parametric	Daily
Extended Gas Analysis	4.2	NA	NA	NA	EPA Reference Methods	Quarterly(To Annually)
Natural Gas Processed	4.3	NA	1825.0 MMscf/yr	NA	Flow Meter	Monthly
Hours/Days of Operation	4.4	NA	NA	NA	Recordkeeping	Monthly

4.1 Total VOC emissions from the ethylene glycol dehydrator at this site shall not exceed the limitations stated above (Worst Case Modeled Emissions based on the 9/12/98 gas analysis and maximum gas throughput). The methods for monitoring compliance with these limits are as follows:

The cold separator temperature and glycol circulation rate shall be measured and recorded daily. The circumstances surrounding any day on which the cold separator temperature or glycol circulation rate values fail to be measured and recorded shall be described in a log to be maintained on site. The average value for each of these parameters shall be determined for any month during which a daily recorded parameter fails the stipulated passing criteria in the table below. Data from the previous-most day for which data exists will be substituted for the missing data in the event the calculation of a monthly average is required.

Parameter	Value	Units	Criteria
Cold Separator Temperature	-15.0	degrees Fahrenheit	Below
Glycol Circulation Rate	5.0	gallons per minute	Below
Benzene Content of Gas	200	parts per million	Below
Toluene Content of Gas	200	parts per million	Below
Ethyl Benzene Content of Gas	30	parts per million	Below
Xylene Content of Gas	100	parts per million	Below

If the average cold separator temperature, glycol circulation rate or the concentration of BTEX constituent does not meet the stipulated passing criteria, the GRI GLYCalc (Version 4.0 or higher) model shall be run to determine monthly emission rates. Input to the model shall be the recorded average values for cold separator temperature, glycol circulation rate, gas composition data from the most recent required analysis (see Condition 4.2), calculated daily inlet gas throughput required by Condition 4.3 and assumed value of 689.7 psia for inlet gas pressure.

A rolling 12-month total for VOC emissions shall be maintained to determine compliance with the annual limit. The 12-month total may be assumed to be equal to the annual limit for any 12-month period for which no

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GLYCalc runs were triggered. The calculation of the 12-month total shall be performed for any month a GLYCalc run is triggered. If a GLYCalc run is required for any reason for a given month, the pounds per hour of emissions predicted by the model shall be multiplied by the number of hours the unit ran for that month. The monthly VOC emissions used in the rolling 12-month total for months that do not trigger a GLYCalc run shall be the number of operating hours in the month multiplied by an hourly VOC emission rate of 1.74 lb/hr (Worst Case Modeled Emissions based on the 9/12/98 gas analysis and maximum gas throughput). If the 12-month rolling total of VOC emissions exceeds the annual VOC limit, VOC emissions for the previous months must be calculated with GLYCalc using the parameters described above until the rolling 12-month total is less than the annual VOC limitation or all twelve months have been recalculated.

- 4.2 Samples of inlet gas shall be collected and analyzed (extended gas analysis) to determine  $C_1$  to  $C_6$ , n-hexane, benzene, toluene, ethyl benzene and total xylene (BTEX) composition annually. Frequency will revert to quarterly if any of the BTEX constituents exceed the listed values above. If the BTEX constituents remain consistently below the established values as identified in the above table after one year of quarterly sampling, the sampling frequency will revert to semi-annual for a year and then back to annual.
- 4.3 The total cubic feet of gas processed by the ethylene glycol dehydrator shall not exceed the limitations listed above (Colorado Construction Permit 94RB756 as modified under the provisions of Section I, Condition 1.3). The gas throughput to the dehydration unit shall be determined monthly using existing flow meters as well as other parameters and records as needed. A twelve month rolling total will be maintained to verify compliance with annual limitations. An average daily gas throughput rate shall be determined by dividing the monthly gas throughput by the number of operating days in the previous month. This average daily gas throughput rate shall be used in any required GLYCalc runs.
- 4.4 The Hours/Days of Operation shall be monitored monthly and recorded and maintained to be made available to the Division upon request. The hours of operation shall be used to calculate the monthly emissions in any month that a GLYCalc run is required as specified in Condition 4.1. The days of operation shall be used to calculate an average daily gas throughput as specified in Condition 4.3.

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#### 5. F007 - Fugitive Emissions of VOCs

Parameter	Permit Condition Number	Limitations Short Term Long Term		Compliance Emission Factor	Monitor Method	ring Interval
VOC	5.1.	NA	18.1 tons/yr	By Component Type- EPA Protocol for Equipment Leak Estimates	Recordkeeping	As Noted
General Provisions	5.2.	NA	NA	NA	Subject to NSPS General Provisions	
Leak Detection and Repair	5.3.	NA	NA	NA	Subject to NSPS KKK	

5.1 VOC emissions from equipment leaks shall not exceed the limitations stated above (Colorado Construction Permit 92RB1423-1 as modified under the provisions of Section I, Condition 1.3). Emissions shall be calculated using the emission factors and equations listed below:

Emission Factors for individual types of components in lbs/component-hr (Protocol for Equipment Leak Emission Estimates, EPA-453/R-95-017).

Connectors = 0.00044

Flanges = 0.000858

Open-ended Line = 0.0044

\*Other = 0.01936

Pump = 0.00528

Valve = 0.0099

\* This "Other" equipment type should be applied for any equipment type other than connectors, flanges, open-ended lines, pumps or valves.

Emissions of VOC per component:

No. Of Components x EF (lbs/component-hr) x 8760 hrs/yr x VOC content of gas

The most recent gas analysis as required under Condition 4.2. of this Permit shall be used to determine the appropriate VOC content to use in the above equation.

A component count shall be conducted within 90 days of the issuance of this permit and every five (5) years thereafter to verify existing components and inventory.

A running total shall be kept of all additions and subtractions to the component count. The most recent count shall be used for emission calculations and compliance purposes.

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5.2 Regulation No. 6, Part A, Subpart A, General Provisions applies as follows:

No article, machine, equipment or process shall be used to conceal any emissions which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gasses discharged to the atmosphere. ( $\square 60.12$ )

Records of startups, shutdowns, and malfunctions shall be maintained, as required under \( \begin{aligned} \text{60.7}. \end{aligned} \)

5.3 This source is subject to 40 CFR Part 60.630, Subpart KKK, New Source Performance Standards (as adopted by reference in Colorado Regulation 6): Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants. The following items apply:

Inspection and maintenance requirements as stated in federal NSPS 40 CFR []60.632, []60.633, and []60.634.

Record keeping requirements as stated in federal NSPS 40 CFR []60.635.

Reporting requirements as stated in federal NSPS 40 CFR \$\Bar{\Bar{\Bar{B}}}60.636\$. Reporting under this section is to be fulfilled concurrently with Appendix B compliance monitoring reporting and shall be submitted to the Division.

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#### **SECTION III - Permit Shield**

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D. & XIII.B; § 25-7-114.4(3)(a), C.R.S.

#### 1. Specific Non-Applicable Requirements

Based upon the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modification or reconstruction on which construction commenced prior to permit issuance:

Emission Unit Description	Augliadda Dawinana	Lord G' and an
&Number Facility	Applicable Requirement 40 CFR 60, Subparts K (as directly incorporated	Justification  No petroleum liquids are stored on-site.
	in Regulation No. 6, Part A)	
Facility	40 CFR 60, Subparts Ka (as directly incorporated in Regulation No. 6, Part A)	No tanks installed prior to effective date located at this facility.
Facility	40 CFR 60, Subparts Kb (as directly incorporated in Regulation No. 6, Part A)	All tanks either have design capacities less than applicable thresholds, or are pressure vessels designed to operate in excess of 15 psig.
Facility	40 CFR 60, Subparts LLL (as directly incorporated in Regulation No. 6, Part A)	Gas processing at this facility designed to remove moisture and natural gas liquids only. No sulfur recovery is affected by this equipment.

#### 2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

- 2.1 The provisions of  $\square \square$  25-7-112 and 25-7-113, C.R.S., or  $\square$  303 of the federal act, concerning enforcement in cases of emergency;
- 2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 2.3 The applicable requirements of the federal Acid Rain Program, consistent with 408(a) of the federal act;
- 2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to 25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to 114 of the federal act;

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- 2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C,  $\square$  XIII.
- 2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

#### 3. Streamlined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

None

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#### **SECTION I - General Permit Conditions**

#### 1. Administrative Changes

#### Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A,  $\Box$  I.B.36.a. The permittee may immediately make the change upon submission of the application to the Division.

#### 2. Certification Requirements

#### Regulation No. 3, 5 CCR 1001-5, Part C, [II] III.B.9., V.C.16.a.&e. and V.C.17.

- a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.
- c. Compliance certifications shall contain:
  - (i) the identification of each permit term and condition that is the basis of the certification;
  - (ii) the compliance status of the source;
  - (iii) whether compliance was continuous or intermittent;
  - (iv) the method(s) used for determining the compliance status of the source, currently and over the reporting period; and
  - (v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the
- d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.
- e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

#### 3. Common Provisions

#### Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II.E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

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The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

#### c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations. Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

- (i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;
- (ii) approves the use of an equivalent method;
- (iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or
- (iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard.
   Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7 1973, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

- (i) Sampling ports adequate for test methods applicable to such facility,
- (ii) Safe sampling platform(s),
- (iii) Safe access to sampling platform(s).
- (iv) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other

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circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

#### d. Upset Conditions and Breakdowns

Upset conditions, as defined, shall not be deemed to be in violation of the Colorado regulations, provided that the Division is notified as soon as possible, but no later than two (2) hours after the start of the next working day, followed by a written notice to the Division explaining the cause of the occurrence and that proper action has been or is being taken to correct the conditions causing the violation and to prevent such excess emission in the future.

#### e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

#### f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

#### g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;

The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;

If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;

All possible steps were taken to minimize the impact of excess emissions on ambient air quality;

All emissions monitoring systems were kept in operation (if at all possible);

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The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,

At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards (NSPS) or national emissions standards for hazardous air pollutants (NESHAPS), any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment

#### 4. Compliance Requirements

#### Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d. and § 25-7-122.1(2), C.R.S.

- a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.
- b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.
- d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the

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permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.

- e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.
- f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:
  - (i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and
  - (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

#### 5. Emergency Provisions

#### Regulation No. 3, 5 CCR 1001-5, Part C, § VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. the permitted facility was at the time being properly operated;
- c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or upset provision contained in any applicable requirement. Emission Standards for Asbestos

#### 6. Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, "emission standards for asbestos."

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#### 7. Emissions Trading, Marketable Permits, Economic Incentives

#### Regulation No. 3, 5 CCR 1001-5, Part C, UV.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

#### 8. Fee Payment

#### C.R.S. §§ 25-7-114.1(6) and 25-7-114.7

- a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.
- b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.
- c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

#### 9. Fugitive Particulate Emissions

#### Regulation No. 1, 5 CCR 1001-3, III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1,  $\Box$  III.D.1.

#### 10. Inspection and Entry

#### Regulation No. 3, 5 CCR 1001-5, Part C, V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

- a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;
- b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;
- d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

#### 11. Minor Permit Modifications

#### Regulation No. 3, 5 CCR 1001-5, Part C, $\square$ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

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#### 12. New Source Review

#### Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

#### 13. No Property Rights Conveyed

#### Regulation No. 3, 5 CCR 1001-5, Part C, V.C.11.d.

This permit does not convey any property rights of any sort, or any exclusive privilege.

#### 14. Odor

#### Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

#### 15. Off-Permit Changes to the Source

#### Regulation No. 3, 5 CCR 1001-5, Part C, XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permit shield shall not apply to any off-permit change.

#### 16. Opacity

#### Regulation No. 1, 5 CCR 1001-3, III I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, III I.-II.

#### 17. Open Burning

#### Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 1,  $\square$  II.C.1.

#### 18. Ozone Depleting Compounds

#### Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

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#### 19. Permit Expiration and Renewal

#### Regulation No. 3, 5 CCR 1001-5, Part C, III III.B.6., IV.C., V.C.2.

- a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.
- b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

#### 20. Portable Sources

#### Regulation No. 3, 5 CCR 1001-5, Part C, II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

#### 21. Prompt Deviation Reporting

#### Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

- a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or
- b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
  - (i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;
  - (ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and
  - (iii) For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.
- c. If any of the conditions in paragraphs b.i or b.ii above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. [Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.] A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be

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submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

#### 22. Record Keeping and Reporting Requirements

#### Regulation No. 3, 5 CCR 1001-5, Part A, I II.; Part C, II V.C.6., V.C.7.

- a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:
  - (i) date, place as defined in the Operating Permit, and time of sampling or measurements;
  - (ii) date(s) on which analyses were performed;
  - (iii) the company or entity that performed the analysis;
  - (iv) the analytical techniques or methods used;
  - (v) the results of such analysis; and
  - (vi) the operating conditions at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.
- c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.
- d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.
- e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs. Annual fees are based on the most recent APEN on file with the Division.

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#### 23. Reopenings for Cause

#### Regulation No. 3, 5 CCR 1001-5, Part C, XIII.

- a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.
- b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.
- c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.
- d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

#### **24.** Section 502(b)(10) Changes

#### Regulation No. 3, 5 CCR 1001-5, Part C, XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

#### 25. Severability Clause

#### Regulation No. 3, 5 CCR 1001-5, Part C, V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

#### 26. Significant Permit Modifications

#### Regulation No. 3, 5 CCR 1001-5, Part C, III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

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#### 27. Special Provisions Concerning the Acid Rain Program

#### Regulation No. 3, 5 CCR 1001-5, Part C, D V.C.1.b. & 8

- a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.
- b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

#### 28. Transfer or Assignment of Ownership

#### Regulation No. 3, 5 CCR 1001-5, Part C, II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

#### 29. Volatile Organic Compounds

#### Regulation No. 7, 5 CCR 1001-9, III & V.

a. For sources located in an ozone non-attainment area or the Denver Metro Attainment Maintenance Area, all storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.

b. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.

#### 30. Wood Stoves and Wood burning Appliances

#### Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

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# **OPERATING PERMIT APPENDICES**

- A INSPECTION INFORMATION
- **B-MONITORING AND PERMIT DEVIATION REPORT**
- C COMPLIANCE CERTIFICATION REPORT
- **D-NOTIFICATION ADDRESSES**
- **E-PERMIT ACRONYMS**
- F PERMIT MODIFICATIONS
- G FUEL ALLOCATION PROCEDURE

## \*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

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Revised: 9/1/08

#### **APPENDIX A - Inspection Information**

#### **Directions to Plant:**

Travel north on Colorado Highway 13 from Rifle (I-70) to County Road 5 (Piceance Creek Road). Travel west on County Road 5 curving north approximately 30 miles to the facility.

#### **Safety Equipment Required:**

Eye Protection, Hard Hat, Safety Shoes, Hearing Protection and Flame Retardant Clothing

#### **Facility Plot Plan:**

Figure 1 (following page) shows the plot plan as submitted on August 17, 1998 with the source's Title V Operating Permit Application.

#### **List of Insignificant Activities:**

The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

Insignificant activities and/or sources of emissions as submitted in the application are as follows:

Condensate storage tank (300 bbl)

Two oil storage tanks (500 gallons each)

Used oil storage tank (1,000 gallons)

Methanol Storage Tank (5,000 gallons)

Two NGL/LPG pressurized storage vessels (30,000 gallons and 1,000 gallons)

Various drain sumps

Condensate storage tank (3,000 gallons)

Glycol storage tank (300 gallons)

New lube oil storage tank (500 gallon)

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### **APPENDIX B - Reporting Requirements and Definitions**

with codes ver 2/20/07

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

- (A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);
- (B) fails to notify or report as required under the Act; or
- (C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits. All required reports must be certified by a responsible official.

#### **Report #1: Monitoring Deviation Report** (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

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### **Report #2: Permit Deviation Report (must be reported "promptly")**

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "malfunction" shall refer to both emergency conditions and malfunctions. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

- (1) A situation where emissions exceed an emission limitation or standard contained in the permit;
- (2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;
- (3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,
- (4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = **Standard:** When the requirement is an emission limit or standard **2 = Process:** When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring 4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is recordkeeping
 7 = Report: When the requirement is reporting

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**8 = CAM:** A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

**9 = Other:** When the deviation is not covered by any of the above categories

#### **Report #3: Compliance Certification (annually, as defined in the permit)**

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;
- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;
- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.<sup>1</sup>
- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

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<sup>&</sup>lt;sup>1</sup> For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event.

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The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

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#### Startup, Shutdown, Malfunctions and Emergencies,

Understanding the application of Startup, Shutdown, Malfunctions and Emergency Provisions, is very important in both the deviation reports and the annual compliance certifications.

#### Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

#### **Emergency Provisions**

Under the Emergency provisions of Part 70 certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

#### **DEFINITIONS**

**Malfunction** (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

**Malfunction** (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

**Emergency** means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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### APPENDIX B: Monitoring and Permit Deviation Report - Part I

- 1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.
- 2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or malfunction or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or malfunctions) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: Rocky Mountain Natural Gas, LLC – Piceance Creek
OPERATING PERMIT NO: 980PRB202
REPORTING PERIOD:\_\_\_\_\_\_\_\_(see first page of the permit for specific reporting period and dates)

Operating Permit		Deviations noted During Period? <sup>1</sup>		Deviation Code <sup>2</sup>	Malfunction /Emergency Condition Reported During Period?	
Unit ID	Unit Description	YES	NO		YES	NO
S001	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion, Site rated at 83 HP, Serial No. 241424 (1992)					
S002	Waukesha Model F1197 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine in Refrigeration Service, Site Rated at 145 HP, SN: 221043 (1982)					
S003	Waukesha Model F3711 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 325 HP, SN: 447584 (1982)					
S004	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 83 HP, SN: TBD (2008)					
S005	Superior Model 6G510 GU, 4 Cycle Stand Rich Burn, Natural Gas Fired Internal Combustion Engine, Site rated at 320 HP, SN:18018 (1988)					

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Operating Permit		Deviations noted During Period? <sup>1</sup>		Deviation Code <sup>2</sup>	Malfunction /Emergency Condition Reported During Period?	
Unit ID	Unit Description	YES	NO		YES	NO
S006	Process Equipment Corporation Ethylene Glycol Dehydrator Regenerator Still Vent, Maximum Rated at 5.0 MMscfd (1992)					
F007	Fugitive Emissions of VOCs from Equipment Leaks					
General Conditions						
Insignificant Activities						

<sup>&</sup>lt;sup>1</sup> See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

1 = Standard: When the requirement is an emission limit or standard 2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring 4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is recordkeeping
 7 = Report: When the requirement is reporting

**8 = CAM:** A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

**9 = Other:** When the deviation is not covered by any of the above categories

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<sup>&</sup>lt;sup>2</sup> Use the following entries, as appropriate

## **APPENDIX B: Monitoring and Permit Deviation Report - Part II**

PACILITY NAME: Rocky Mountain Natu OPERATING PERMIT NO: 980PRB202 REPORTING PERIOD:	ral Gas, LLC – Pice	ance Creek	
Is the deviation being claimed as an: (For NSPS/MACT) Did the deviation occur during:	Emergency Startup Normal Operation	Shutdown	N/A Malfunction
OPERATING PERMIT UNIT IDENTIFICATION:			
Operating Permit Condition Number Citation			
Explanation of Period of Deviation			
Duration (start/stop date & time)			
Action Taken to Correct the Problem			
Measures Taken to Prevent a Reoccurrence of the Pr	<u>oblem</u>		
Dates of Malfunctions/Emergencies Reported (if app	olicable)		
Deviation Code	Division Code QA:		
SEE EXAMPLI	E ON THE NEXT	PAGE	

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### **EXAMPLE**

FACILITY NAME: Acme Cor OPERATING PERMIT NO: 96OPZZX REPORTING PERIOD: 1/1/04 - 6/	ХХХ			
Is the deviation being claimed as an:	Emergency	Malfunction _	XX	N/A
(For NSPS/MACT) Did the deviation oc	ccur during: Startup Normal Operation	Shutdown	Malfunc	tion
OPERATING PERMIT UNIT IDENTIF	FICATION:			
Asphalt Plant with a Scrubber for Partic	ulate Control - Unit XXX			
Operating Permit Condition Number Cit	<u>tation</u>			
Section II, Condition 3.1 - Opacity Limi	itation			
Explanation of Period of Deviation				
Slurry Line Feed Plugged				
<u>Duration</u>				
START- 1730 4/10/06 END- 1800 4/10/06				
Action Taken to Correct the Problem				
Line Blown Out				
Measures Taken to Prevent Reoccurrence	ce of the Problem			
Replaced Line Filter				
Dates of Malfunction/Emergencies Repo	orted (if applicable)			
5/30/06 to A. Einstein, APCD				
Deviation Code	Division Code QA:			

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## **APPENDIX B: Monitoring and Permit Deviation Report - Part III**

### REPORT CERTIFICATION

SOURCE NAME: Rocky Mountain Natural	Gas, LLC – Piceance Creek
FACILITY IDENTIFICATION NUMBER:	1030037
PERMIT NUMBER: 980PRB202	
REPORTING PERIOD:	(see first page of the permit for specific reporting period and dates)
	tal Deviation Reports must be certified by a responsible official as rt A, Section I.B.38. This signed certification document must be ed.
STATEMENT OF COMPLETENESS	
	submitted in its entirety and, based on information and belief that the statements and information contained in this submittal
1-501(6), C.R.S., makes any false materia	te that any person who knowingly, as defined in Sub-Section 18- al statement, representation, or certification in this document is unished in accordance with the provisions of Sub-Section 25-7
Printed or Typed Name	Title
Signature of Responsibl	e Official Date Signed
Signature of Responsion	bute digited
<u>-</u>	tted to the Division at the address given in Appendix D of this copies need be sent to the U.S. EPA.

Renewed: 10/1/05 Revised: 9/1/08

### **APPENDIX C - Required Format for Annual Compliance Certification Reports**

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: Rocky Mountain Natural Gas, LLC – Piceance Creek

OPERATING PERMIT NO: 980PRB202

#### **REPORTING PERIOD:**

### I. Facility Status

\_\_\_\_ During the entire reporting period, this source was in compliance with **ALL** terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference. The method(s) used to determine compliance is/are the method(s) specified in the Permit.

With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Deviations Reported <sup>1</sup>		Monit Met pe Pern	hod er	contin	mpliance uous or ittent? <sup>3</sup>
		Previous	Current	YES	NO	Continuous	Intermittent
S001	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site rated at 83 HP, Serial No. 241424 (1992)						
S002	Waukesha Model F1197 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine in						

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Operating Permit Unit ID	Unit Description	Devia Repo		Monit Metl pe Perm	hod er	contin interm	mpliance uous or ittent? <sup>3</sup>
		Previous	Current	YES	NO	Continuous	Intermittent
	Refrigeration Service, Site Rated at 145 HP, SN: 221043 (1982)						
S003	Waukesha Model F3711 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 325 HP, SN: 447584 (1982)						
S004	Waukesha Model F817 GU, 4 Cycle Standard Rich Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 83 HP, SN: TBD (2008)						
S005	Superior Model 6G510 GU, 4 Cycle Stand Rich Burn, Natural Gas Fired Internal Combustion Engine, Site rated at 320 HP, SN:18018 (1988)						
S006	Process Equipment Corporation Ethylene Glycol Dehydrator Regenerator Still Vent, Maximum Rated at 5.0 MMscfd (1992)						
F007	Fugitive Emissions of VOCs from Equipment Leaks						
General Conditions							
Insignificant Activities <sup>4</sup>							

Operating Permit Number: 980PRB202 Renewed: 10/1/05

#### NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

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<sup>&</sup>lt;sup>1</sup> If deviations were noted in a previous deviation report, put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

<sup>&</sup>lt;sup>2</sup> Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

<sup>&</sup>lt;sup>3</sup> Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

<sup>&</sup>lt;sup>4</sup> Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

II.	Status	for Accident	al Release I	Prevention P	rogram:							
	A.	This facility Release Pre		_ is subject gram (Section					ne provisions Air Act)	of the A	Accide	enta
	B.	If subject: 7 requiremen			is	is	not	in	compliance	with	all	the
III.	Certifi	appı							has been by the requir			the
Colora	ido Reg		3, Part A, S					•	esponsible officument must			
reasor	nable in				•				ion and beli in this certif			
C.R.S	., make	s any false 1	naterial sta	tement, rep	presentatio	n, or cer	tificat	ion i	, as defined : n this docum 5-7 122.1, C.R	ent is g		
		Printed or T	Typed Name	;					Title			
		Signat	ure						Date Signed			
		Č	certification						Control Div		and to	the

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#### **APPENDIX D - Notification Addresses**

#### 1. **Air Pollution Control Division**

Colorado Department of Public Health and Environment Air Pollution Control Division **Operating Permits Unit** APCD-SS-B1 4300 Cherry Creek Drive S. Denver, CO 80246-1530

ATTN: Jim King

#### 2. **United States Environmental Protection Agency**

### Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice Mail Code 8ENF-T U.S. Environmental Protection Agency, Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

#### Permit Modifications, Off Permit Changes:

Office of Partnerships and Regulatory Assistance and Air and Radiation Programs, 8P-AR U.S. Environmental Protection Agency, Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

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#### **APPENDIX E - Permit Acronyms**

### Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor
CF -	Cubic Feet (SCF = Standard Cubic Feet)
CFR -	Code of Federal Regulations
CO -	Carbon Monoxide
COM -	Continuous Opacity Monitor
CRS -	Colorado Revised Statute
EF -	Emission Factor
EPA -	Environmental Protection Agency
FI -	Fuel Input Rate in Lbs/mmBtu
FR -	Federal Register
G -	Grams
Gal -	Gallon
GPM -	Gallons per Minute
HAPs -	Hazardous Air Pollutants
HP -	Horsepower
HP-HR -	Horsepower Hour ( $G/HP-HR = Grams per Horsepower Hour$ )
LAER -	Lowest Achievable Emission Rate
LBS -	Pounds
M -	Thousand
MM -	Million
MMscf -	Million Standard Cubic Feet
MMscfd -	Million Standard Cubic Feet per Day
37/4 374	ST. A. II. II

NSPS - New Source Performance Standards
P - Process Weight Rate in Tons/Hr

Nitrogen Oxides

PE - Particulate Emissions

N/A or NA - Not Applicable

NOx -

NESHAP -

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National Emission Standards for Hazardous Air Pollutants

PM -	Particulate Matter
$PM_{10}$ -	Particulate Matter Under 10 Microns
PSD -	Prevention of Significant Deterioration
PTE -	Potential To Emit
RACT -	Reasonably Available Control Technology
SCC -	Source Classification Code
SCF -	Standard Cubic Feet
SIC -	Standard Industrial Classification
SO <sub>2</sub> -	Sulfur Dioxide
TPY -	Tons Per Year
TSP -	Total Suspended Particulate
VOC -	Volatile Organic Compounds

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## **APPENDIX F - Permit Modifications**

DATE OF REVISION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
September 1, 2008	General	Changed source name from Company to LLC
	Section II, Condition 2.2	Revised the Portable Monitoring language to reflect the current version
	Section II, Condition 3	Revised engine conditions to incorporate the permanent replacement of this engine; added annual NOx, CO and fuel limits
	Section IV	Revised to reflect current version
	Appendix B and C	Revised to reflect current version

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#### **APPENDIX G - Fuel Allocation Procedure**

\*The methods outlined will be used to calculate fuel use for Internal Combustion Engines E101, E819, E822, E818 and E844

### A) FUEL ALLOCATION TO INDIVIDUAL ENGINES

For Each Piece of Equipment, Fuel Use =

[Fuel Design Rate][Hrs. of Operation] X [Facility Fuel Use for Month] [Sum of Numerator for Each Engine]

Unit Number	Fuel Design Rate
E101	0.73 MMBtu/hr
E819	1.28 MMBtu/hr
E822	2.97 MMBtu/hr
E824	0.73 MMBtu/hr
E844	3.17 MMBtu/hr

\*Allocated Fuel Use shall be determined within the first seven days of each month based on the monthly hours of operation for each listed piece of equipment from the previous month.

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